

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks.

Status of Claims

Claims 1-42 are currently pending in the application, of which claims 1, 24, 25, 32, 33, and 34 are independent.

Claims 1-42 are rejected.

By virtue of the amendments above, independent claims 1, 24, and 33 have been amended. Support for the amendments may be found in the specification, at least on page 13, lines 22-24.

No new matter has been introduced by way of the amendments above. Entry thereof is therefore respectfully requested.

Summary of the Office Action

Claims 1-24 and 33 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

Claims 1-2 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0078053 to Abtin et al. (hereinafter "Abtin").

Claims 3-31 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Abtin in view of U.S. Patent Application Publication No. 2004/0259534 to Chaudhari et al. (hereinafter "Chaudhari").

Claims 32-40 were rejected under 35 U.S.C. §102(c) as allegedly being anticipated by Chaudhari.

Claims 41-42 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Chaudhari in view of U.S. Patent No. 7,310,307 to Das et al. (hereinafter “Das”).

Claim Rejection Under 35 U.S.C. §101

Claims 1-24 and 33 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

In setting forth the rejection of independent claim 1, the Examiner asserted that independent claim 1 was directed to non-statutory subject matter because the service delivery platform recited in independent claim 1 could be interpreted as software only. The Examiner advised to add a processor coupled to a non-transitory storage medium to provide at least one hardware element in the claim.

In response, independent claims 1 and 24 have been amended above to recite, “a processor coupled to a non-transitory storage medium,” as recommended by the Examiner. As such, independent claims 1 and 24 are not software per se, and the rejection of claims 1-24 under 35 U.S.C. §101 has been overcome. Withdrawal of the rejection of independent claims 1-24 under 35 U.S.C. §101 is therefore respectfully requested.

Independent claim 33 has been amended to recite “non-transitory computer readable medium” as recommended by the Examiner. As such, the rejection of claim 33 under 35 U.S.C. §101 has been overcome. Withdrawal of the rejection of independent claim 33 under 35 U.S.C. §101 is therefore respectfully requested.

Prior Art Rejection of Claims 1-31

Claims 1-2 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Abtin. This rejection is respectfully traversed for at least the following reasons.

o Independent Claim 1:

Independent claim 1 recites, *inter alia*, “a mobile server accessible by the mobile portal.”

In setting forth the rejection of claim 1, the Office Action fails to indicate which elements in Fig. 1 of Abtin are equivalent to the “mobile server” recited in claim 1. Instead, the Office Action refers generally to Fig. 1 and paragraphs [0013] and [0015] of Abtin (*Examiner’s Answer*, page 6). However, in paragraphs [0013] and [0015], Abtin describes all of the elements of Fig. 1 and a flow diagram of operation of the location privacy proxy 15 in Fig. 2. As such, it is unclear which elements in paragraphs [0013] and [0015] of Abtin are the “mobile server” recited in claim 1. As a result, the Applicants are not provided with a fair opportunity to respond to the Examiner’s rejection. If the rejection is maintained, the Examiner is requested to specifically identify the particular features of the prior art relied upon as alleged teachings of the claimed features.

Moreover, none of the elements in Fig. 1 of Abtin is a “mobile server” as recited in claim 1. The location privacy proxy 15 shown in Fig. 1 and described in Fig. 2 of Abtin is not a mobile server because Abtin discloses that the location privacy proxy 15 is a “centralized privacy control function” separated from the positioning systems for determining if the user may be positioned. Thus, the location privacy proxy 15 is a function for the secure equipment 20 for determining if the user can be positioned or located. A function cannot be

reasonably interpreted to be a server. As such, the location privacy proxy 15 of Abtin is not equivalent to the “mobile server” recited in claim 1.

Independent claim 1, as amended, also recites,

an application server, having a web services interface connecting the mobile portal to the mobile server, and the mobile portal is to communicate with the mobile server via the web services interface of the application server.
(*Emphasis added*)

Support for the features recited above may be found in the specification, at least on page 8, lines 11-13, page 13, lines 22-24, and Fig. 3, which shows that application server 360 has a web services interface connecting the mobile portal 352 to the mobile server 356. Abtin fails to teach the features recited above in claim 1 for at least the following reasons.

In setting forth the rejection of claim 1, the Office Action asserts that the access server 50 in Fig. 1 of Abtin is the “application server” recited in claim 1 recited in claim 1 (See *Examiner’s Answer*, page 6).

However, that assertion is respectfully traversed because, as shown in Fig. 1 of Abtin, the access server 50 connects the end user 45 to the mobile portal 25. The end user 45 is the user of a mobile device (See *Abtin*, paragraph [0013]). As such, the end user 45 is not equivalent to the mobile server in a service delivery platform, as recited in claim 1. As a result, the access server 50 of Abtin is not equivalent to the “application server” having an interface connecting the mobile portal to the mobile server, and the mobile portal is to communicate with the mobile server via the interface of the application server, as recited in claim 1. Therefore, Abtin fails to teach “an application server, having a web services interface connecting the mobile portal to the mobile server and the mobile portal is to

communicate with the mobile server via the web services interface of the application server,” as recited in independent claim 1.

In addition, the access server 50 in Abtin is not the same as the “application server” recited in claim 1 because the access server 50 in Fig. 1 of Abtin is for the user 45 to access the mobile portal 25 (See *Abtin*, paragraph [0013]). The ability to access a portal does not provide an application service. Thus, it appears that the access server 50 of Abtin does not provide a service of any applications. Therefore, it is unreasonable and improper for the Office Action to equate the access server 50 of Abtin to the “application server having a web services interface,” recited in claim 1.

In the “Response to Argument” section of the Examiner’s Answer, the Office Action recites part of paragraph [0013] of Abtin, “The WAP gateway proxy 55 acts as an interconnect between the PLMN and an external network (i.e., the Internet 65)” (*Examiner’s Answer*, pages 6 and 16). Thus, the Office Action appears to equate the WAP gateway proxy 55 in Fig. 1 of Abtin to the “web services interface” recited in claim 1.

However, as shown in Fig. 1 of Abtin, the WAP gateway proxy 55 is outside of the access server 50, which the Office Action asserts to be the “application server” of claim 1. As such, the WAP gateway proxy 55 is not part of the access server 50 of Abtin. In contrast, independent claim 1 recites, “an application server having a web services interface.” Thus, the WAP gateway proxy 55 cannot be interpreted as the “web services interface” of claim 1 because, in Abtin, the access server 50 does not have the WAP gateway proxy 55.

For at least the foregoing reasons, Abtin fails to teach each and every feature of independent claim 1 and thus cannot anticipate claim 1. It is therefore respectfully requested that the rejection of claim 1 be withdrawn, and claim 1 be allowed.

- Dependent Claim 2:

Claim 2 is dependent from independent claim 1. Thus, claim 2 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth above in connection with independent claim 1. It is therefore respectfully requested that the rejection of claim 2 be reversed, and this dependent claim be allowed.

Claims 3-31 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Abtin in view of Chaudhari. These rejections are respectfully traversed for at least the following reasons.

- Dependent Claims 3-23:

Claims 3-23 are dependent from independent claim 1. As discussed above, Abtin fails to disclose all of the features of independent claim 1. In setting forth the rejection of claims 3-23, the Examiner has not and cannot reasonably assert that the disclosure contained in Chaudhari makes up for any of the deficiencies with respect to Abtin. Accordingly, even assuming for the sake of argument that one of ordinary skill in the art were somehow motivated to modify Abtin with the disclosure contained in Chaudhari, the proposed modification would fail to teach or suggest all of the features of independent claim 1.

For at least the foregoing reasons, claims 3-23 are *not* obvious in view of the combined disclosures contained in Abtin and Chaudhari, as proposed by the Office Action. Therefore, withdrawal of the rejection of claims 3-23 and allowance of these claims are respectfully requested.

- Independent Claim 24:

As amended, independent claim 24 recites, *inter alia*,

an application server, having a web services interface to connect the mobile portal to the mobile server, and the mobile portal is to communicate with the mobile server via the web services interface of the application server.

As such, independent claim 24 recites features similar to those of independent claim 1 as discussed above. Thus, independent claim 24 is believed to be allowable over the cited documents of record for at least the same reasons as set forth above in connection with independent claim 1. It is therefore respectfully requested that the rejection of independent claim 24 be withdrawn and this claim be allowed.

- Independent Claim 25:

Independent claim 25 recites, *inter alia*,

providing business rules to an application server, the business rules associated with accessing user profile data to make a user profile service database accessible across multiple network applications;
applying the business rules in response to a request; and
accessing the user profile service database when the request has been authorized by the applied business rules.

In setting forth the rejection of claim 25, the Office Action broadly indicates that “claims 24-31 recite similar limitations as claims 1-23 and therefore are rejected using similar rationale” (See *Examiner's Answer*, page 12). However, claims 1-23 does not recite “providing business rules to an application server, the business rules associated with accessing user profile data to make a user profile service database accessible across multiple

network applications,” as recited in independent claim 25. Therefore, it is respectfully submitted that the rejection of claim 25 is improper.

Furthermore, Abtin shows in Fig. 1 an access server 50 for providing a user to access a PLMN or “public land mobile network” (See *Abtin*, paragraph [0013]). Accessing the public land mobile network is not the same as making a user profile service database to be accessible across multiple applications. Thus, the access server 50 of Abtin does not provide business rules to an application server that makes a user profile service database accessible across multiple network applications, as recited in claim 25. Therefore, Abtin fails to teach or suggest “providing business rules to an application server, the business rules associated with accessing user profile data to make a user profile service database accessible across multiple network applications,” as recited in claim 25.

In the “Response to Argument” section, the Office Action asserts that Abtin discloses the business rules recited in claim 25 because Abtin discloses in paragraph [0060], “authorizing a request to the database where a user name and password are required to authorize access to the database according to the business agreement” (*Examiner’s Answer*, page 17). However, that assertion is incorrect because there is no paragraph [0060] in Abtin. Furthermore, that assertion is moot because authorizing a user to access the database according to a business agreement does not include allowing the database to be accessible across multiple network applications, as recited above in claim 25.

Claim 25 also recites, “accessing the user profile service database when the request has been authorized by the applied business rules.” Claims 1-23 do not recite that feature of claim 25. Therefore, it is also not clear how Abtin in view of Chaudhari teaches the feature of “accessing the user profile service database when the request has been authorized by the

applied business rules,” recited in claim 25. For instance, in Abtin, there is no request to access the user profile service, and thus, no authorizing of the request to access the user profile service database. In Chaudhari, paragraph [0044] merely discloses that the business rules may include sharing user contextual information without revealing user identity. However, there is no teaching or suggestion in Chaudhari regarding authorizing a request to access a user profile service database. Therefore, Chaudhari fails to teach or suggest “accessing the user profile service database when the request has been authorized by the applied business rules” recited in claim 25. As a result, the combination of Abtin in view of Chaudhari fails to teach or suggest the features recited above in claim 25.

For at least the foregoing reasons, independent claim 25 is *not* obvious in view of the combined disclosures contained in Abtin in view of Chaudhari, as proposed by the Office Action. Therefore, withdrawal of the rejection of independent claim 25 and allowance of the claim is respectfully requested.

○ Dependent Claims 26-31:

Claims 26-31 are dependent from independent claim 25. Thus, they are also believed to be allowable over the cited documents of record for at least the same reasons as set forth above in connection with independent claim 25. It is therefore respectfully requested that the rejection of claims 26-31 be withdrawn, and these dependent claims be allowed.

Prior Art Rejection of Claims 32-42

Claims 32-40 were rejected under 35 U.S.C. §102(c) as allegedly being anticipated by Chaudhari. This rejection is respectfully traversed for at least the following reasons.

- Independent Claim 32:

Independent claim 32 recites, *inter alia*,

collecting, by a processor, a given user's user profile data from multiple network sources in a localized database.

In the rejection of claim 32, the Office Action asserts that Chaudhari discloses the features recited above in paragraph [0041], [0043], [0046], and [0051], where the Meta Directory locally stores the user profile data (See *Examiner's Answer*, page 12).

That assertion is respectfully traversed because in the passages above, Chaudhari discloses that the Meta Directory 203 in Fig. 2 stores information about the entire system, including information about the users (See particular paragraph [0043]). However, Chaudhari fails to teach or suggest where the users' information is collected from. More specifically, Chaudhari fails to teach or suggest that the users' information is collected from multiple network sources. Moreover, Chaudhari does not teach or suggest that the Meta Directory 203 is localized. As a result, Chaudhari fails to teach or suggest, "collecting, by a processor, a given user's user profile data from multiple network sources in a localized database," as recited in claim 32.

In the "Response to Argument" section, the Office Action argues that in Chaudhari discloses the features recited above because, in Chaudhari, the Meta Directory can be accessed locally (*Examiner's Answer*, page 18). However, there is no support in Chaudhari for the Meta Directory being accessed locally. Moreover, even if assuming for the sake of argument that the Meta Directory of Chaudhari could be accessed locally, Chaudhari still fails to teach that the users' information in the Meta Directory is collected from multiple network sources, as recited in claim 32. Thus, Chaudhari fails to teach the features recited above.

Furthermore, independent claim 32 recites,

providing business rules to an application server to manage access to the given user's collected user profile data in the database.

In the rejection of claim 32, the Office Action asserts that the feature recited above in claim 32 is disclosed in paragraphs [0043] and [0049] of Chaudhari (See *Examiner's Answer*, page 12). However, that assertion is respectfully traversed. In paragraph [0043], Chaudhari discloses that the Meta Director 203 includes subscriber profile 301, and the Policy Repository 303 stores policy rules. In paragraph [0049], Chaudhari discloses that the Meta Controller 211 "decides policies that are to be imposed on the system so as to enable efficient delivery of services."

As such, neither paragraph [0043] nor paragraph [0049] of Chaudhari teaches or suggests providing business rules to an application server to manage access to a user's profile data in the Meta Directory 203. Although Chaudhari discloses in paragraph [0041] the business rules 307 that allow sharing the user's contextual information, the business rules 307 are not taught or suggested to be provided to an application server for the application server to manage access to the user's information. Therefore, Chaudhari fails to teach or suggest, "providing business rules to an application server to manage access to the given user's collected user profile data in the database," as recited in claim 32.

The arguments above were presented in the Appeal Brief (See *Appeal Brief*, page 19). However, the Examiner fails to address those arguments. Thus, the Examiner is requested to either rebut the arguments above or allow independent claim 32.

For at least the foregoing reasons, Chaudhari fails to teach each and every feature of independent claim 32 and thus cannot anticipate claim 32. It is therefore respectfully requested that the rejection of claim 32 be withdrawn, and claim 32 be allowed.

- Independent Claim 33:

Independent claim 33 recites features similar to those of independent claim 32 as discussed above. Thus, independent claim 33 is also believed to be allowable over the cited documents of record for at least the same reasons as set forth above in connection with independent claim 32. It is therefore respectfully requested that the rejection of independent claim 33 be reversed, and this claim be allowed.

- Independent Claim 34:

Independent claim 34 recites, *inter alia*,

means for registering user profile data stored on the user profile service database with one or more third party databases.

In setting forth the rejection of claim 34, the Office Action asserts that the features recited above in claim 34 are disclosed in paragraph [0060] of Chaudhari (See *Examiner's Answer*, page 13). However, that assertion is respectfully traversed. In paragraph [0060], Chaudhari discloses that once a business relationship with third party 103 is defined, mobile service provider 101 registers the third party 103, and gives the third party 103 a user name and password.

Thus, the mobile service provider 101 of Chaudhari registers information of the third party 103. However, the mobile service provider 101 is not taught or suggested to register the user profile data with a third party database. Nothing in paragraph [0060] of Chaudhari suggests that the information of the user 102 or information of the third party 103 is registered with other third party databases. Therefore, Chaudhari fails to teach or suggest “means for registering user profile data stored on the user profile service database with one or more third party databases,” as recited in claim 34.

For at least the foregoing reasons, Chaudhari fails to teach each and every feature of independent claim 34 and thus cannot anticipate claim 34. It is therefore respectfully requested that the rejection of claim 34 be withdrawn, and claim 34 be allowed.

○ Dependent Claims 35-40:

Claims 35-40 are dependent from independent claim 34. Thus, they are also believed to be allowable over the cited documents of record for at least the same reasons as set forth above in connection with independent claim 34. It is therefore respectfully requested that the rejection of claims 35-40 be withdrawn, and these dependent claims be allowed.

○ Dependent Claims 41-42:

Claims 41-42 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Chaudhari in view of Das. This rejection is respectfully traversed.

Claims 41-42 are dependent from independent claim 34. As discussed above, Chaudhari fails to disclose all of the features of independent claim 34. In setting forth the rejection of claims 41-42, the Examiner has not and cannot reasonably assert that the disclosure contained in Das makes up for any of the deficiencies with respect to Chaudhari. Accordingly, the proposed combination of Chaudhari in view of Das fails to teach or suggest all of the features of independent claim 34, upon which claims 41-42 depend.

For at least the foregoing reasons, claims 41-42 are *not* obvious in view of the combined disclosures contained in Chaudhari and Das, as proposed by the Office Action. Therefore, withdrawal of the rejection of claims 41-42 and allowance of these claims are respectfully requested.

PATENT

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Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited. Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to Deposit Account No. 08-2025.

Respectfully submitted,

Dated: November 28, 2011 By

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